



Judith P. Kenney & Associates, P.C.

ATTORNEY AT LAW

Wills

- ▶ We prepare Wills— the basic planning tool. While a Will may leave property outright to beneficiaries, Wills may also include trusts for surviving family members, “testamentary” trusts. Where a Living Trust arrangement is selected, a “pour over” Will transfers the property to the Living Trust.
- ▶ As part of the estate planning package, we prepare the following documents which are key elements in planning for potential disability:
- ▶ **General Statutory Power of Attorney** (or limited power of attorney) to enable another to act as agent for the client.
- ▶ **Medical Power of Attorney** (with disclosure statements) to designate agents to make medical decisions for the client in the event the client is unable to act.
- ▶ **Advanced Directive** or (Living Will) to express the client’s desire to withhold or not to withhold life support.

Estate Planning

- ▶ We are dedicated to providing our clients with exceptional legal advice and services. We recognize that each client's situation is unique. We develop customized estate plans that are designed to meet the individual goals and desires of our clients. In providing our services, we seek to minimize taxes and the expense to our clients. We take the time to explain the estate plans in detail so that our clients feel confident and secure throughout the process that their estate plans meet their needs. The services we offer include Estate Planning, which covers planning for estate and gift tax and wealth disposition and involves the implementation of such goals through the preparation of Wills, trusts of all types, such as Revocable Living Trusts, Irrevocable Trusts, Testamentary Trusts, Insurance Trusts, Dynasty Trusts, Guardianship Management Trusts, and Charitable Trusts. Our estate planning services also includes planning for disability: General Durable Powers of Attorney, Medical Powers of Attorney, Advance Directives ("Living Will"), Designation of Guardian, Appointment of Agents to Control Disposition of Remains, HIPAA Authorizations and other related documents as a part of the estate planning package.

Guardianship

- Situations can occur which result in the need to establish a guardianship of a person, the person's property, or both. This may occur for a minor (in Texas, a child under the age of 18), or an adult who is incapacitated. Sometimes that incapacity can occur in a relatively younger adult as the result of an injury or medical condition. In our current society in which people live longer than their ancestors did, we often encounter senior citizens who reach a point in their lives where they simply cannot manage their financial affairs, or even their personal care. While many of these situations can be handled through proper estate planning, sometimes it is necessary to resort to a formal court proceeding to name someone to be the guardian of that person. We assist our clients in addressing these situations, resorting to guardianship proceedings if other less restrictive methods are not available or sufficient.

Fiduciary Litigation

- ▶ Fiduciary litigation involves suits against persons acting as fiduciaries—Executors, Administrators, Guardians and Trustees. Where the fiduciary engages in misconduct, the fiduciary may be required to account to the beneficiaries and to be removed by the Court. Judith P. Kenney & Associates, P.C., defends fiduciaries and represents beneficiaries involved in fiduciary litigation.
- ▶ **Creditor's Claims.** The firm, on behalf of the personal representative, may contest creditor's claim or a reimbursement claim.
- ▶ **Closing Estate.** The firm may represent fiduciaries or beneficiaries seeking to close an estate administration and provide for distribution of the estate assets.
- ▶ **Will Contests.** The firm represents the Executor or Administrator who is applying for the Will to be admitted to probate and that application is contested by an earlier Will.

Probate Law

- ▶ Judith P. Kenney & Associates, P.C., advises clients on the type of probate proceeding appropriate to the particular estate: Regular administration where the Executor is appointed by the Court to administer the estate and receives Letters Testamentary, where there is a Will, or Letters of Independent Administration where there is no Will. We assist with court-created independent administration. We assist the out-of-state personal representative to qualify as Executor or Administrator in Texas. Judith P. Kenney & Associates, P.C., represents the personal representative and assists with the probate process of admitting the Will to probate, qualifying the Executor or Administrator, filing the requisite notices to creditors and to the beneficiaries, administering the estate, distributing the property to the beneficiaries and then closing the estate administration if desired.

Contact Us

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